



ZONING ADMINISTRATOR NOTICE OF DECISION

Date: February 27, 2012
Applicant: Brookfield Otay R17, LLC
Case No.: DRC-11-29
Address: NE corner Discovery Falls Drive & Hunte Parkway
Project Planner: Jeff Steichen

Notice is hereby given that on February 27, 2012, the Zoning Administrator considered Design Review (DRC) application DRC-11-29, filed by Brookfield Otay R17, LLC ("Applicant/Property Owner"). The Applicant requests Design Review approval to replace an existing 72 unit attached product type with a 60 unit detached product type. The Project is located near the northeast corner of Discovery Falls Drive and Hunte Parkway ("Project Site"). The Project Site is zoned Planned Community (PC) with a Multi Family Residential (RM-1) land use district designation. The General Plan designation is Low Medium Residential (RLM). The Project is more specifically described as follows:

The Project consists of the construction of 60 detached units in a motor court arrangement to replace previously approved 72 units contained within a six-plex attached product. The units would be located within a portion of the existing project known as Neighborhood R-17 "Cordorva" of Otay Ranch Village 11. The average square footage would be lower than the previous attached product (1,835 versus 2,087 sq. ft.), and the density would be reduced from 12.7 to 10.6 dwelling units/acre.

The Development Services Director has reviewed the proposed project for compliance with the California Environmental Quality Act and has determined that the proposed project was adequately covered in previously adopted Final Second Tier EIR (EIR 01-02), for the Otay Ranch General Plan Amendments/Village 11 Sectional Planning Area Plan, and Tentative Map. Thus, no further environmental review or documentation is necessary.

The Zoning Administrator approved said request based upon the following findings of fact:

- 1. The proposed development, as conditioned, is consistent with the development regulations of the Village Eleven Sectional Planning Area (SPA) and Planned Community (PC) District regulations for the Residential Multi Family One (RM-1) Zone.**

The land use designation for the R-17 Neighborhood is Residential Multi-Family (RM-1 = 8-15 dwelling units/acre). The density of the proposed product is 10.6 dwelling units/acre, which falls within the density range for the RM-1 as defined

in the Village 11 SPA Plan. The project is in compliance with the Multi-Family Residential Design Guidelines of the Village 11 Design Plan chapter of the Village 11 SPA Plan. The design and location of the multi-family detached units within the 10 unit cluster around a central auto court configuration provides the elimination of street facing garage doors, increase spacing between homes at street, and increase the amount of exclusive use open space for each unit.

- 2. The design features of the proposed development are consistent with, and are a cost-effective method of satisfying, the Otay Ranch Village 11 Sectional Planning Area (SPA) Design Plan.**

The proposed project is cost-effective method of satisfying the regulations of the Otay Ranch Village 11 SPA Design Plan.

The Zoning Administrator, under the provisions of Section 19.14.582.G of the Chula Vista Municipal Code (CVMC), has conditionally approved the project subject to the following conditions:

- I. The following shall be accomplished to the satisfaction of the Development Services Director, prior to issuance of building permits, unless otherwise specified:**

Planning Division:

1. The Applicant/Representative and Property Owner shall execute this document by making a true copy and signing both this original Notice of Decision and the copy on the lines provided below, said execution indicating that the Applicant/Representative and Property Owner have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 Days of the effective date herein shall indicate the Applicant/Representative and Property Owner's desire that the project, and corresponding application for building/grading permits and/or business license, be held in abeyance without approval.

Signature of Applicant/Authorized Representative

Date

Signature of Property Owner/Representative

Date

2. A graffiti resistant treatment shall be specified for all wall and building surfaces, and noted on any building and wall plans. Additionally, the project shall conform

to CVMC Section 9.20.055 regarding graffiti control. The applicant shall remove all graffiti on a regular basis.

3. All roof appurtenances, including air conditioners and other roof mounted equipment and/or projections, shall be shielded from view and the sound buffered from adjacent properties and streets as required by the Development Services Director. Such screening shall be architecturally integrated with the building design and constructed to the satisfaction of the Development Services Director.
4. The colors and materials specified on the building plans must be consistent with the colors and materials shown on the site plan and materials board available in the Planning Division and date stamped December 15, 2011.

Building Division

5. This project shall comply with 2007 California Building Code (CBC), California Mechanical Code (CMC), California Plumbing Code (CPC), California Electric Code (CEC), California Fire Code (CFC) and 2008 California Energy Code, as adopted and amended by the State of California and the City of Chula Vista, as well as the Green Building ordinance (CVMC 15.12) and all other locally adopted city and state requirements.
6. The project must be designed by an Architect or Engineer licensed by the State of California.
7. Show assumed property lines, identify dimension distances from building(s) to all real and assumed property lines, street centerlines, and adjacent existing or proposed structures.
8. Provide a Building Code Data Legend on the title (first) sheet of the plans. Include the following code information for each building or space proposed:
 - a. Occupancy Group classification, CBC Ch. E
 - b. Type of Construction, CBC Ch. 6
 - c. Type of Fire Sprinkler per CBC Ch 9

Fire Department

9. The project will require a fire flow of 1,500 gallons per minute for 2-hour duration (at 20 psi).
10. The Applicant shall provide a water flow letter from the applicable water agency having jurisdiction indicating that the above mentioned fire flow is available to serve this project.
11. Comply with all applicable Fire Department access requirements.

12. The building shall be addressed in accordance with the criteria provided by the Fire Department. Size of lettering shall be based upon distance from the face of curb.
13. Provide fire sprinkler systems per the State Building Code within all units.
14. The Fire hydrants shall be located not greater than 500 feet apart.

Land Development Division

15. The following fees will be required based on the final Building Plans submitted:
 - a. Sewer Capacity Fee
 - b. Traffic Signal Fee
 - c. Public Facilities Development Impact Fees per the Master Fee Schedule
 - d. Eastern Transportation Development Impact Fees
16. Submit improvement plans for review and approval. Said plans shall include 1) removal and replacement of any broken or damaged curb, gutter and sidewalk along the project's frontage to the satisfaction of the City Engineer; and 2) removal and replacement of existing pedestrian ramp on the corner of Hunte Parkway and Discovery Falls Drive.
17. Payment of the Park Acquisition and Development (PAD) required fee per dwelling unit (currently \$2,707.60 per unit).
18. Applicant shall submit a copy of the approved site plan in digital format, such as (DXF) graphic file, on a CD or through e-mail based on California State Plan System in accordance with City's Guidelines for Digital Submittal. DXF file shall include a utility plan showing any and all proposed sewer or storm drain on site.

II. The following on-going conditions shall apply to the Project as long as it relies upon this approval.

1. The Applicant shall maintain the Project in accordance with the approved plans for DRC-11-29, date stamped on December 15, 2011, which includes a site plan and architectural elevations on file in the Planning Division, the conditions contained herein, and Title 19.
2. Approval of this request shall not waive compliance with all sections of Title 19 of the Municipal Code, and all other applicable City ordinances in effect at the time of building permit issuance.

3. This Design Review Permit shall become void and ineffective if not utilized within three (3) year from the effective date thereof, in accordance with Section 19.14.600 of the Municipal Code.
4. The Property Owner and Applicant shall and do agree to indemnify, protect, defend and hold harmless City, its City Council members, officers, employees and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fees (collectively, liabilities) incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this Design Review Permit and (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated on the Project Site. The Property Owner and Applicant shall acknowledge their agreement to this provision by executing a copy of this Design Review Permit where indicated above. The Property Owner's and Applicant's compliance with this provision shall be binding on any and all of the Property Owner's and Applicant's successors and assigns.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,
CALIFORNIA, this 27th day of February 2012.



Mary Ladfana
Zoning Administrator

cc. Steve Power, Principal Planner
Adam Pevney/ Brookfield San Diego Builders Inc./12865 Pointe Del Mar, Suite
200/Del Mar California, 92014